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REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1-22 were pending in this application. In the Office Action mailed February 8, 2007, claims 1-22 were rejected. Specifically:

The previously issued grounds of rejection of claims 1-17 were withdrawn. Claims 1-2, 4, and 6-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,275,518 to Takahashi ("Takahashi") in view of U.S. Patent No. 5,809,059 to Souissi et al. ("Souissi"); Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Souissi and further in view of U.S. Pub. No. 2002/0071402 to Kockmann ("Kockmann"); Claims 5 and 9-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Souissi as applied to claims above, and further in view of Kerry et al (Amendment to I.E.E.E. 802.11a avoids interference with other 5GHz-Band devices; available at http://standards.ieee.org/announcements/pr_80211hwlan.html), retrieved August 7, 2005, hereinafter "Kerry"); Claims 13-15, and 18-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi in view of U.S. Pub. No. 2001/0022806 to Adachi ("Adachi"); Claims 16-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi in view of Souissi and further in view of Kerry.

In this Amendment, claims 1, 3, 7, 9-11, 13, and 19-21 have been amended. Accordingly, upon entry of this Amendment, claims 1-22 will be pending.

Rejection of claims 1-2, 4, and 6-8 under 35 U.S.C. § 103(a)

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The rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Souissi should be withdrawn because Takahashi and Souissi fail to disclose the complete combination of features recited in claim 1. Claim 1 has been amended to recite a method for avoiding interference during operation of a first RF device employing a first frequency hopping spread spectrum protocol, in conjunction with the operation of at least one other RF device employing a different communications protocol, wherein hopping frequencies employed by the first device cluster in one or more frequency ranges. Applicant notes that the latter feature has been added to claim 1 in this Amendment and corresponds substantially to an element formerly recited in dependent claim 7, in which the latter feature has been removed for the purposes of consistency. Dependent claims 10 and 11 have also been amended to recite this feature. Figures 9, 11b, 14a, 14b and 16 provide exemplary illustrations of this claimed feature. In each figure, hopping frequencies employed by a first device cluster within one or more particular frequency ranges in which no other potential interferers are present, and thus avoid interfering with frequencies used by one or more other devices.

Nowhere do the disclosures in Takahashi or Souissi teach or suggest this feature. Notably, the portions of Takahashi (column 9, line 66-column 10, line 2) relied upon by the Examiner to reject claim 7, which formerly recited this feature now included in claim 1, do not in fact disclose this feature. The cited text of Takahashi refers to Fig. 6A, which illustrates frame timing for different hopping sequences. However, Fig. 6A does not illustrate or suggest clustering of hopping frequencies within a first frequency range, as recited in claim 1. Fig. 6A of Takahashi in fact shows no frequency behavior at all, but rather shows hops as a function of time.

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Accordingly, the disclosure of Takahashi in view of Souissi fails to teach or suggest the complete combination of features recited in claim 1. Applicant therefore respectfully requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

At least for the same reasons as apply to claim 1 above, the rejection of dependent claims 2, 4, and 6-8, which include all the limitations of base claim 1, also should be withdrawn.

Rejection of claim 3 under 35 U.S.C. § 103(a)

The rejection of claim 3 was predicated upon the rejection of claim 1, from which it depends. Accordingly, at least for the same reasons as apply to claim 1 above, Takahashi and Souissi fail to teach or suggest the complete combination of elements recited in claim 1. Nor does the bit error rate determination of Kockmann cure this deficiency. Applicant therefore respectfully requests that the rejection of claim 3 under 35 U.S.C. § 103(a) be withdrawn.

Rejection of claims 5 and 9-12 under 35 U.S.C. § 103(a)

The rejection of claims 5 and 9-12 was predicated upon the rejection of claim 1, from which they depend. Accordingly, at least for the same reasons as apply to claim 1 above, Takahashi and Souissi fail to disclose or suggest the complete combination of elements recited in claims 5 and 9-12. Nor does the I.E.E.E. amendment of Kerry cure this deficiency. Applicant therefore respectfully requests that the rejection of claims 5 and 9-12 under 35 U.S.C. § 103(a) be withdrawn.

Rejection of claims 13-15 and 18-22 under 35 U.S.C. § 103(a)

The rejection of claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Adachi should be withdrawn because Takahashi and Adachi fail to disclose the complete combination of features recited in claim 13. Similarly to claim 1, independent claim 13

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has been amended to recite an RF module wherein hopping frequencies employed by the first RF module cluster in one or more frequency ranges. Dependent claims 19-20 have also been amended for consistency to recite this feature. As noted above, Takahashi fails to disclose this feature. Nor do the portions of Adachi cited by the Examiner disclose this feature. Accordingly, the disclosure of Takahashi in view of Adachi fails to teach the complete combination of features recited in claim 1. Applicant therefore respectfully requests that the rejection of claim 13 under 35 U.S.C. § 103(a) be withdrawn.

Dependent claims 14-15 and 18-20 all include the complete set of limitations recited in independent claim 13 and are accordingly patentable over Takahashi in view of Adachi at least for the reasons stated above with respect to claim 13. Applicant therefore respectfully requests that the rejection of claims 14-15 and 18-20 under 35 U.S.C. § 103(a) also be withdrawn.

Independent claim 21 has been amended to recite an RF communications device that includes, among other things, a first RF transceiver and a microcontroller in communication with a protocol stack, wherein the microcontroller facilitates segregation in one or more frequency ranges of a set of channels employed by the first transceiver from a set of channels employed by at least one interferer. As noted above, Figures 11b, 14a, and 16 provide exemplary illustrations of this claimed feature. In each figure, hopping frequencies employed by a first device cluster within a particular frequency range and avoid interfering with frequencies used by one or more other devices. The portions of Adachi cited by the Examiner as teaching this feature (paragraphs [0024] and [0075]) do not disclose segregation of channels in a frequency range. Paragraph [0024] discloses adjusting timing of a hopping pattern to avoid frequency interference with another network, but does not disclose adjusting the frequency, nor segregating of a set of

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channels in a first frequency range. Paragraph [0075] is clearly not relevant to the feature of segregating a set of channels in a first frequency range, as recited in claim 21.

Accordingly, claim 21 is patentable over Takahashi in view of Adachi because the cited art fails, whether considered singly or in combination, to teach the complete combination of features recited in amended claim 21. Applicant therefore respectfully requests that the rejection of claims 21 and dependent claim 22 under 35 U.S.C. § 103(a) be withdrawn.

Rejection of claims 16-17 under 35 U.S.C. § 103(a)

Dependent claims 16-17 all include the complete set of limitations recited in independent claim 13 and are accordingly patentable over Takahashi in view of Adachi at least for the reasons stated above with respect to claim 13. Nor does the teaching of Kerry cure this deficiency. Applicant therefore respectfully requests that the rejection of claims 16-17 under 35 U.S.C. § 103(a) be withdrawn.

Amendment to claims 3, 7, 9-11 and 19-20

Claims 3 and 9 have been amended to correct a matter of form, claims 7 and 10 have been amended to conform with amended claim 1 and claims 19-20 10 have been amended to conform with amended claim 13.

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In view of the foregoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicant's undersigned representative at the number listed below.

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Respectfully submitted,

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Attachments: None.

AB/RAR/acr

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